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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	DEFENDANT'S MOTION TO
)	BIFURCATE TRIAL; MEMORANDUM IN
v.)	SUPPORT OF DEFENDANT'S MOTION
)	TO BIFURCATE TRIAL;
MICHAEL CHERTOFF, Secretary,)	CERTIFICATE OF SERVICE
DEPARTMENT OF HOMELAND)	
SECURITY,)	
)	
Defendant.)	
)	
_____)	

DEFENDANT'S MOTION TO BIFURCATE TRIAL

Pursuant to Federal Rule of Civil Procedure 42(b), defendant Michael Chertoff, through his undersigned attorneys, hereby moves this court to bifurcate trial of this case into separate liability and damages phases. The grounds for this motion are set forth in the attached memorandum in support.

DATED: March 11, 2008, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Thomas A. Helper
THOMAS A. HELPER
Assistant U.S. Attorney

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	CERTIFICATE OF SERVICE
)	
v.)	
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	
Defendant.)	
)	
_____)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF:

Daphne E. Barbee
desekmet@aloha.net

March 11, 2008

DATED: March 11, 2008, at Honolulu, Hawaii.

/s/ Coleen Tasaka-Shoda
